

## **REMARKS/ARGUMENTS**

These remarks are responsive to the non-final office action of July 7, 2011 (“Office Action”). By this paper, claims 11-18, 20, 23, 24, 33, 36-39, 41, 43-45 and 48 have been amended to be in a preferred form. No new matter has been added. Claims 11-18, 20, 23-30, 33, 36-39, 41, and 43-48 remain pending in this application. Reconsideration and allowance of the instant application are respectfully requested.

### ***Rejection Under 35 U.S.C. § 103(a)***

Claims 11-14, 16-18, 23-26, 28, 36, 39, and 43-47 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Martinez et al. (US 6,147,683, hereinafter “Martinez”), in view of Eisenberg (US 6,331,866, hereinafter “Eisenberg”) and Gould (U.S. Patent No. 6,335,730, hereinafter “Gould”).

Claims 15, 20, 27, 29, 30, 33, 37, 38, and 48 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Martinez, in view of Eisenberg and Gould, and further in view of Ishikawa (US 5,506,951).

Claim 41 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Martinez, Eisenberg, and Gould, in further view of Blumberg (US 6,799,303, hereinafter “Blumberg”).

Applicant respectfully traverses these rejections for at least the following reasons.

### ***Independent claims 16 and 45***

Independent claims 16 and 45 both recite, among other features, changing “the location of the item of interest based on an input from a second user of a plurality of users in a shared environment.” For this feature, the Office Action admits that Martinez fails to disclose changing the location of the item of interest based on an input from a second user of a plurality of users in a shared environment. (*See* Office Action, pages 3-4.) Instead, the Office Action relies on Gould as allegedly describing these features. (Office Action, page 4.) In particular, the Office Action relies on Gould at column 7, lines 15-20 and 64-67. (*Id.*) These portions of Gould merely describes that colors can be modified for items that have been selected by a user. For example, column 7, lines 15-20 states that “different colors can be used to represent on the scroll bar the salient and non-salient segments selected at different times or by different users, and if desired the intensity of

the color used to illustrate the level of magnifications.” Merely allowing a user to select an item, which can modify the item’s color, does not teach or suggest changing “the location of the item of interest *based on an input from a second user of a plurality of users in a shared environment*,” as recited by claims 16 and 45 (emphasis added). Put simply, column 7, lines 15-20 and 64-67 of Gould fails to teach or suggest that a user can place items along the scroll bar of Gould, or modify the locations of the placed items.

Additionally, other portions of Gould fail to contemplate changing “the location of the item of interest based on an input from a second user of a plurality of users in a shared environment,” as recited by claims 16 and 45. Indeed, Gould merely describes that “the computer has been trained or customized to recognize meaningful objects and mark them.” Gould, col. 4, lines 40-52. Merely marking items that have been recognized by a computer fails to teach or suggest changing “the location of the item of interest *based on an input from a second user of a plurality of users in a shared environment*,” as recited by claims 16 and 45 (emphasis added).

Eisenberg is cited for other features of claims 16 and 45, and fails to make up for this deficiency of Martinez and Gould. Thus, claims 16 and 45 are distinguishable over the combination of Martinez, Eisenberg, and Gould for at least this reason.

Independent claims 16 and 45 further recite:

a graphical indicator ... displayed at a size relative to the scroll bar to indicate a size of the item of interest relative to a size of the set of information, the size of the graphical indicator configured to dynamically change in response to a change in the size of the set of information.

The Office Action admits that Martinez fails to teach or suggest the above recited feature. (*See, e.g.*, Office Action page 3). Instead, the Office Action relies on Eisenberg to describe said feature, specifically referring to col. 3 lines 1-5 and col. 7 lines 45-51. However, Eisenberg merely states that, “the selected content indicator can be sized to indicate the length of the selected portion of the note content relative to the overall content extent.” *See* Eisenberg, col. 3, lines 3-5. As noted in Applicant’s previous response, such a description fails to teach or suggest that such an action may be performed “*dynamically*” and “*in response to a change in size*” in the set of information as recited in claims 16 and 45. That is, the cited portion of Eisenberg’s disclosure is, without more, limited to sizing the selected content when the indicator is set. The rest of

Eisenberg is similarly devoid of any discussion of dynamically changing the size of the content indicator.

As such, claims 16 and 45 are distinguishable over the combination of Martinez, Eisenberg and Gould for this further reason.

Claims 11-15, 17-18, 20, 33, 41 and 46-48 depend from one of claims 16 and 45, and are rejected over the same combination of Martinez, Eisenberg and Gould, or rejected over the combination of Martinez, Eisenberg and Gould, in further view of Ishikawa or Blumberg. Ishikawa and Blumberg fail to overcome the deficiencies of Martinez, Eisenberg, and Gould noted above. Accordingly, these dependent claims are allowable for at least the same reasons as their base claims, and in further view of their features recited therein.

For example, claim 41 recites a “circular dial, wherein the slider rotates around the circular dial, and wherein a 360-degree rotation around the circular dial corresponds with traversing the set of information from one of: a beginning-to-end and an end-to-beginning.” The Office Action concedes that the combination of Martinez, Eisenberg and Gould fails to disclose this feature, and instead relies on an octagon shaped display in Fig. 21 of Blumberg for the claimed “circular dial.” (See Office Action, page 15.) Blumberg merely discloses a keyboard interface in Fig. 21 in which a user selects keys on the perimeter of the octagon by moving a pointer radially from the center of the octagon to the perimeter in the direction of the desired key. See Blumberg, col. 16 lines 33-41. Blumberg does not display a “circular dial, wherein the slider rotates” (emphasis added) as recited in claim 41. Accordingly, claim 41 is distinguishable from the combination of Martinez, Eisenberg, Gould and Blumberg for this further reason.

Independent claims 23 and 36

Independent claims 23 and 36 both recite, among other features:

a first graphical indicator ... displayed at a size relative to the scroll bar to indicate a size of the item of interest relative to a size of the list, the size of the graphical indicator configured to dynamically change in response to a change in the size of the list.

As already discussed with respect to claims 16 and 45, the combination of Martinez, Eisenberg and Gould fails to teach or suggest a graphical indicator configured to

dynamically change in response to a change in the size of a set of information. The combination likewise fails to disclose these similar features of claims 23 and 36. Accordingly, claims 23 and 36 are distinguishable over the combination of Martinez and Eisenberg for this further reason.

Claims 24-26, 37-39, 43 and 44 depend from one of claims 23 and 36, and are rejected over the same combination of Martinez, Gould and Eisenberg, or rejected over the combination of Martinez, Gould and Eisenberg in further view of Ishikawa. Ishikawa fails to overcome the deficiencies of Martinez, Gould and Eisenberg noted above. Accordingly, these dependent claims are allowable for at least the same reasons as their base claims, and in further view of their features recited therein. For example, claims 24, 37, 43 and 44 each recite features related to the changing of a location of a point of focus based on user input. The Office Action relies on Gould for the features of 24, 37, 43 and 44. As discussed above, Gould merely describes that colors can be modified for items that have been selected by a user. Therefore, Gould fails to teach or suggest changing of a location of a point of focus based on user input.

*Independent claim 27*

In its rejection of claim 27, the Office Action cites Ishikawa and Gould for the claim 27 feature of “changing the location of the point of focus based on a user input from a first user moving the graphical indicator on the scroll bar,” and admits that Martinez fails to teach or suggest this feature of claim 27. (Office Action, pages 11-12.)

As discussed above, Gould merely describes that colors can be modified for items that have been selected by a user. For example, column 7, lines 15-20 states that “different colors can be used to represent on the scroll bar the salient and non-salient segments selected at different times or by different users, and if desired the intensity of the color used to illustrate the level of magnifications.” Put simply, Gould fails to teach or suggest that a user can place items along the scroll bar of Gould, or modify the locations of the placed items. Accordingly, Gould fails to teach or suggest “changing the location of the point of focus based on a user input from a first user moving the graphical indicator on the scroll bar,” as recited in claim 27.

Ishikawa fails to overcome this shortcoming of Martinez and Gould. Ishikawa, discloses jump tags which identify positions on a scroll bar where the thumb (i.e. slider) can be jumped to by selecting the tag. See Ishikawa, col. 6 lines 2-11. These tags are similar in position on a scroll bar to the markings in Martinez. However, the jump tags have no relation to the data in the window as would be required to disclose the claimed “graphical indicator.” The jump tags in Ishikawa merely relate to the scroll bar itself. See Ishikawa; col. 6 lines 23-24, 42-47, 49-51, 56-61; col. 7 lines 32-35.

The “graphical indicator” in claim 27 has a clear relationship to the “point of focus within data,” that is not just a relationship to the “scroll bar” as in Ishikawa. The relationship is made clear by the claim 27 feature of the “size of the graphical indicator [being] configured to dynamically change in response to a change in the size of the data. Nothing in Ishikawa discloses a relationship from the jump tag to anything more the scroll bar itself. Thus, Ishikawa would not disclose the claim 27 features of “obtaining a location of the point of focus within data based on the position of the graphical indicator on the scroll bar” for which Martinez was cited, but was shown lacking. For the same reason, Ishikawa also does not disclose the claim 27 feature of “changing the location of the point of focus based on a user input from a first user moving the graphical indicator on the scroll bar.”

Eisenberg is cited for other features of claim 27 and fails to make up for the deficiencies of Martinez, Gould and Ishikawa noted above. Thus claim 27 is distinguishable over the combination of Martinez, Eisenberg, Gould and Ishikawa.

Claim 27 also recites the feature of “changing the location of the point of focus based on a user input from a second user moving the graphical indicator on the scroll bar.” The Office Action admits that Martinez fails to teach or suggest this feature and instead, appears to rely on Gould for the features relating to “a second user.” (Office Action, page 12.) However, as discussed above with respect to claims 16 and 45, Gould fails to teach or suggest such features because Gould merely describes that colors can be modified for items that have been selected by a user. See e.g., Gould, col. 7, lines 15-20 and 64-67. Eisenberg and Ishikawa fail to make up for this shortcoming of Gould and Martinez. Thus, claim 27 is distinguishable for this further reason.

Claims 29-30 depend from claim 27, and are allowable for at least the same reason as claim 27, and in further view of their features recited therein.

Claim 28 has further been rejected over Martinez, Eisenberg and Gould, while its base claim 27 has been rejected over Martinez, Eisenberg, Gould and Ishikawa. Accordingly, the rejection to claim 28 does not fully incorporated the rejection of its base claim 27, and is thus improper. Applicant submits that the rejection to claim 28 should be withdrawn for this further reason.

### **CONCLUSION**

All rejections having been addressed, Applicant respectfully submits that the instant application is in condition for allowance, and respectfully solicits prompt notification of the same. If the examiner has any questions or needs any additional information, the examiner is invited to contact applicant's undersigned representative at (202) 824-3317.

Respectfully submitted,

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